

IN THE SENATE OF THE UNITED STATES.

APRIL 28, 1858.—Ordered to be printed.

Mr. CLARK submitted the following

REPORT.

The Committee on Claims, to whom was referred the petition of James Hendeber, report:

The petitioner represents that he is the sole creditor (as he believes) of Captain John Hudry, to whom the United States is justly indebted for important and valuable services at the battle of New Orleans; that he supported Captain Hudry for several years prior to his death, and while engaged in prosecuting his claim before Congress, for which he has received no compensation, and as Captain Hudry left no widow or children, he asks that Congress will make an appropriation in his behalf out of the amount due to Captain Hudry, to reimburse him for the expenses thus incurred. Without assuming to express any opinion on the justice of the claim of Captain Hudry upon the government, having no evidence before them in regard to it, the committee are not aware of any principle or precedent which would justify Congress in undertaking to dispose of his estate, or to become responsible for the payment of his debts. If the government is indebted to Captain Hudry, or his estate, the presumption is that payment will be made to his legal representatives upon the presentation of the proper evidence, and they are the parties to whom this claimant must look for his remedy.

The committee submit the following resolution:

Resolved, That the allegations of the petitioner do not present any claim, on his part, against the government.

